

# USE OF RADIO FOR CIVIL AERONAUTICAL SERVICES

*Exchange of notes at Washington February 20, 1939, with text of arrangement*<sup>1</sup>

*Entered into force February 20, 1939*

53 Stat. 2157; Executive Agreement Series 143

*The Secretary of State to the Canadian Minister*

DEPARTMENT OF STATE

WASHINGTON

*February 20, 1939*

SIR:

I have the honor to refer to negotiations which have taken place between the Government of the United States of America and the Government of Canada for the conclusion of a United States-Canadian Regional Arrangement Governing the Use of Radio for Civil Aeronautical Services.

It is my understanding that it has been agreed in the course of the negotiations, now terminated, that the Arrangement shall be as follows:

## UNITED STATES-CANADIAN REGIONAL ARRANGEMENT GOVERNING THE USE OF RADIO FOR CIVIL AERONAUTICAL SERVICES

Article I. *Scope*: The present arrangement between the United States and Canada concerns primarily the radio communication service of civil aeronautics and civil air navigation services. Except for Article XIII, the subject matter of this arrangement is confined to the frequencies 200-400 kc. and above 30,000 kc. Services other than civil aeronautical which may incidentally be involved from the standpoint of interference to and by the civil aeronautical radio services are treated in Article XVII. Nothing in this arrangement shall be construed as lessening in any manner or to any degree the rights enjoyed by the national defense services of either country.

Article II. *Application*: Nothing in the present arrangement shall contravene the pertinent portions of the International Telecommunication Convention, Madrid, 1932;<sup>2</sup> the radio regulations annexed thereto to which the parties to this arrangement have subscribed; the Inter-American Radio

<sup>1</sup> For appendixes to arrangement, see 53 Stat. 2161 or p. 5 of EAS 143.

<sup>2</sup> TS 867, *ante*, vol. 3, p. 65.

Communications Convention, Habana, 1937,<sup>3</sup> and the Inter-American Arrangement on Radio Communications, Habana, 1937,<sup>4</sup> or such documents as may supplant them as a result of subsequent conferences.

Article III. *Standardization*: In order that international flying may be facilitated, the standardization and use of aeronautical radio facilities are provided for in this arrangement. Appendix I<sup>5</sup> lists the standard classes of aeronautical radio aids approved for service operation.

Article IV. *Geographical Spacing of Aeronautical Stations*: In accordance with the general principles governing the economical use of the available channels, assignments shall be duplicated with a minimum practicable geographical separation between stations as determined by permissible ratio of interfering signal to desired signal, characteristics of the frequencies in use, and the areas of operation of the stations concerned.

Article V. *Sharing of Channels*: The principle of the sharing of frequencies which are made available for aeronautical services by international convention is fully recognized, particularly, however, with respect to those allocated to such services by the Inter-American Arrangement Concerning Radio Communications, Habana, 1937. Recognition is given, however, to the priority of existing services as set forth in Article XVII and Appendix IV. In general, assignments to a new station shall be treated as an individual problem to be solved by engineering methods.

Article VI. *Field Intensity*: In order that radio interference beyond the service area may be reduced to a minimum, radiated power should ordinarily be adjusted to a value consistent with a normal required field intensity within the prescribed area in which it is desired to render service.

#### BAND 200-400 KC.

Article VII. *Geographical Spacing*: In the case of radio range stations in the band 200-400 kc., the geographical spacing of the stations shall be not less than that prescribed in the curve shown in Appendix II. For powers other than four hundred watts, the distances shown in Appendix II shall be modified accordingly.

Article VIII. *Standardization of Quadrant Signals*: For uniformity and for purpose of course orientation, the characteristic "N" shall be utilized in the quadrant through which the true north line passes, except when the northerly course is true north, in which case the characteristic signal "N" should be in the northwest and southeast quadrants. The "A" signal should always fall in the quadrants adjacent to those occupied by the "N" signal.

Article IX. *Identification Signals*: The identification signal employed to identify individual radio range stations shall consist of two letters and shall be

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<sup>3</sup> TS 938, *ante*, vol. 3, p. 462.

<sup>4</sup> 54 Stat. 2514; EAS 200.

<sup>5</sup> See footnote 1, p. 143.

assigned without duplication. Where practicable, the signal used to establish the identity of radio facilities at any particular point should correspond to the designator for weather reports from the same station.

Article X. *Spacing and Assignment of Channels*: The channel spacing for radio range transmitters in the band 200–400 kc. shall be 3 kc. and the radio range channels shall be as set out in Appendix IV.

The frequency assignments to the radio range stations in the United States and Canada shall be set out as in Appendix V.

#### BAND ABOVE 30,000 KC.

Article XI. *Development in Communication*: It is recognized that many services of aeronautics may be accommodated in the band above 30,000 kc. It is further recognized that the use of such frequencies for aviation purposes is still on an experimental basis.

The Parties accordingly agree to cooperate in the development of the use of this ultra high frequency band so that frequencies of the same order may be used for similar purposes throughout the United States and Canada and that the table shown in Appendix III shall be used as a guide when making assignments in this band for aeronautical use.

Article XII. *Ultra High Calling and Working Frequency*: If and when ultra high frequencies come into use for aeronautical purposes, 141,780 kc. shall be designated as a calling and working frequency from plane to ground.

#### GENERAL PROVISIONS

Article XIII. *Normal Calling and Working Frequencies*: It is agreed that the United States and Canada will use 3105 kc. as the international calling and working frequency for use by itinerant aircraft and for emergency use by transport aircraft. 6210 kc. will also be used for secondary purposes as a calling and working frequency, available to itinerant and other aircraft by arrangement, when the circumstances are such as to make the use of 3105 kc. unsuitable.

Article XIV. *Specific Allocation of Airport Control Frequency*: The frequency 278 kc. will continue to be used as an airport control frequency with the expectation that after January 1, 1939 no new assignments to airport control stations on this frequency will be made unless there is installed for simultaneous use facilities for operation on frequencies between 129 and 132 megacycles. It is further proposed that the use of 278 kc. for airport control purposes may be discontinued after January 1, 1940 and replaced by frequencies between 129 and 132 megacycles.

Article XV. *Exchange of Information*: Information pertaining to civil aeronautics including frequency assignments, power, location of stations, identification signals and course orientation shall be exchanged directly between the administrative agencies of the two Parties.

Article XVI. *Infringements*: The Parties undertake to inform each other concerning any infringement of the provisions of this arrangement in order to facilitate corrective action.

Article XVII. *Services Other Than Civil Aeronautical*:

a. *National Defense*: This arrangement recognizes the paramount requirements of national defense as established by Article 39 of the International Telecommunication Convention, Madrid, 1932, and by such national legislation in harmony therewith as has been or may in future be enacted.

b. *Marine Radiobeacons* are recognized as operating in the United States and Canada in the band 285–315 kc. as provided in the Madrid Telecommunication Convention and the General Radio Regulations annexed thereto. The use for aeronautical purposes of these frequencies or immediately adjacent frequencies shall be restricted to locations and powers which will not cause interference with marine radiobeacons along the seacoasts and on the Great Lakes.

c. *Marine Direction-Finding Service* is recognized as operating in the United States and Canada in the band 365–385 kc. as provided in the Madrid Telecommunication Convention and the General Radio Regulations annexed thereto. The use for aeronautical purposes of these frequencies or immediately adjacent frequencies shall be restricted to locations and powers which will not cause interference with marine radio direction-finding services.

d. *Marine Communication Services* are recognized as operating in the United States and Canada on certain frequencies between 385 and 400 kc. as provided in the Madrid Telecommunication Convention and the General Radio Regulations annexed thereto. The use for aeronautical purposes of these frequencies or immediately adjacent frequencies shall be restricted to locations and powers which will not cause interference with marine communication services.

#### CONCLUSION

Article XVIII. *Abrogation*: It is mutually agreed that all existing informal undertakings between the Parties or the administrative agencies thereof with respect to radio allocations to aeronautical services provided for herein, are hereby superseded and become inoperative upon the effective date of this arrangement regardless of any contrary provisions for denunciation which may appear in such existing agreements.

Article XIX. *Effective Date*: The effective date of this arrangement shall be established at the time of the exchange of notes effectuating it.

Article XX. *Amendment*: The appendices to the present arrangement, but not the arrangement itself, may be amended by mutual agreement of the authorized agencies of the Parties hereto.

Article XXI. *Denunciation*: The present arrangement shall be subject to

termination by either Government upon sixty days' notice given in writing to the other Government.

The appendices to the proposed Arrangement, which, under the terms of Article XX thereof, may be amended by mutual agreement of the authorized agencies of the Parties thereto, are transmitted as enclosures to this Note.

I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the Arrangement agreed to in the negotiations are as above set forth. If so, it is suggested that the Arrangement become effective as of the date of this Exchange of Notes. If your Government concurs in this suggestion, the Government of the United States will regard it as becoming effective on that date.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

G. S. MESSERSMITH

The Honorable

Sir HERBERT MARLER, P.C., K.C.M.G.,  
*Minister of Canada.*

[For appendixes to arrangement, see 53 Stat. 2161 or p. 5 of EAS 143.]

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*The Canadian Minister to the Secretary of State*

CANADIAN LEGATION

WASHINGTON

*February 20, 1939*

No. 38

SIR:

I have the honour to acknowledge the receipt of your note of February 20th 1939 in which you communicated to me the terms of a Canadian-United States Regional Arrangement Governing the Use of Radio for Civil Aeronautical Services, as understood by you to have been agreed to in the negotiations, now terminated, between the Government of Canada and the Government of the United States of America.

2. The terms of this Arrangement which you have communicated to me are as follows:

[For terms of arrangement, see U.S. note, above.]

3. I also acknowledge the receipt of the enclosures to your note under reference consisting of the appendices to the proposed Arrangement which under the terms of Article XX thereof may be amended by mutual agreement of the authorized agencies of the Parties thereto.

4. I am instructed to state that the terms of the Arrangement as communicated to me are agreed to by my Government. I am further instructed

to inform you that my Government concurs in your suggestion that the Arrangement become effective as of the date of this Exchange of Notes and will accordingly regard it as becoming effective on that date.

I have the honour to be with the highest consideration Sir

Your most obedient humble servant

HERBERT M. MARLER

The Honourable CORDELL HULL  
*Secretary of State of the United States*  
*Washington, D. C.*